



STAFF REPORT

Meeting Date: November 16, 2005

LAFCO CASE NAME & NO: LAFCO 05-26 City of Santa Paula Reorganization – Islands (Parcels A – C)

PROPOSAL: To annex to the City of Santa Paula 32 parcels plus a portion of Felkins Road and Lindsay Lane, and to detach the same area from the Ventura County Resource Conservation District and the Ventura County Fire Protection District for the purpose of providing City services pursuant to Section 56375.3 of the Government Code.

SIZE:

Parcel A: Approximately 3.95 acres

Parcel B: Approximately 2.68 acres

Parcel C: Approximately 0.35 acre

LOCATION: The area involved is generally located southerly of Telegraph Road, easterly of Todd Lane, northerly of the Santa Paula Freeway, and westerly of Peck Road in the City of Santa Paula sphere of influence.

Parcel A: Sixteen lots with street addresses of 50, 65, 84, 98, 105, 120, 149, 152, 163, 168, 171, 187, 320, 327 Felkins Road; 890 Telegraph Road; and a segment of the Felkins Road Right of Way.

Parcel B: Fourteen lots with street addresses of 27, 30, 35, 38, 56, 57, 64, 71, 76, 79, 91 Lindsay Lane; 15820, 15840, 15858 Telegraph Road; and the entirety of Lindsay Lane.

Parcel C: Two lots with street addresses of 924 and 15896 Telegraph Road.

COMMISSIONERS AND STAFF

COUNTY:
Linda Parks, Vice Chair
Kathy Long
Alternate:
Steve Bennett

CITY:
Don Waunch
John Zaragoza
Alternate:
Janice Parvin

SPECIAL DISTRICT:
Dick Richardson, Chair
Ted Grandsen
Alternate:
George Lange

PUBLIC:
Kenneth M. Hess
Alternate:
Louis Cunningham

EXECUTIVE OFFICER:
Everett Millais

LAFCO ANALYST:
Kim Uhlich

OFFICE MANAGER/CLERK:
Debbie Schubert

LEGAL COUNSEL:
Leroy Smith

PROPONENT: City of Santa Paula by resolution.

NOTICE: This matter has been noticed as a PUBLIC HEARING as prescribed by law.

ASSESSOR'S PARCEL INFORMATION:

	Address	APN	Address	APN
PARCEL A	890 Telegraph Rd	098-0-030-025	149 Felkins Rd	098-0-030-135
	50 Felkins Rd	098-0-030-035	152 Felkins Rd	098-0-030-085
	65 Felkins Rd	098-0-030-475	163 Felkins Rd	098-0-030-125
	320 Felkins Rd	098-0-030-045	168 Felkins Rd	098-0-030-435
	84 Felkins Rd	098-0-030-055	171 Felkins Rd	098-0-030-115
	98 Felkins Rd	098-0-030-065	174 Felkins Rd	098-0-030-425
	105 Felkins Rd	098-0-030-145	187 Felkins Rd	098-0-030-105
	120 Felkins Rd	098-0-030-075	327 Felkins Rd	098-0-030-155
			Felkins Road	098-0-030-48
PARCEL B	27 Lindsay Lane	098-0-030-325	71 Lindsay Lane	098-0-030-355
	30 Lindsay Lane	098-0-030-275	76 Lindsay Lane	098-0-030-235
	35 Lindsay Lane	098-0-030-335	79 Lindsay Lane	098-0-030-365
	38 Lindsay Lane	098-0-030-265	91 Lindsay Lane	098-0-030-375
	56 Lindsay Lane	098-0-030-255	15820 Telegraph Rd	098-0-030-315
	57 Lindsay Lane	098-0-030-345	15840 Telegraph Rd	098-0-030-305
	64 Lindsay Lane	098-0-030-245	15858 Telegraph Rd	098-0-030-285
			Lindsay Lane	098-0-030-293
PARCEL C	924 Telegraph Rd	098-0-030-195	15896 Telegraph Rd	098-0-030-185

RECOMMENDATIONS

- A. Certify that the Commission has reviewed and considered the information contained in the CEQA Notice of Exemption prepared by the City of Santa Paula as lead agency, dated September 7, 2005, and determine that the change of organization is exempt under Section 15319(a) of the CEQA Guidelines.
- B. Waive further protest proceedings including subsequent protest and election proceedings, and adopt the attached resolution (LAFCO 05-26) making determinations and approving the City of Santa Paula Reorganization – Islands (Parcels A-C).

BACKGROUND

The reorganization proposal consists of a request to annex three separate unincorporated islands of territory to the City of Santa Paula and to detach the same areas from the Ventura County Resource Conservation District and Ventura County Fire Protection District. All three island areas are within the sphere of influence of the City of Santa Paula.

This is the first “island annexation” proposal filed by any city in the County.

The following analysis is formatted differently than the typical staff report to reflect the unique findings that LAFCO must make in considering and approving the subject reorganization proposal pursuant to Govt. Code Section 56375.3, which is informally referred to as the “Island Annexation Provision” of LAFCO law. The request for LAFCO to process the proposal in this manner was made by the City of Santa Paula in a letter accompanying the application (Attachment 4).

CURRENT LAND USES AND HISTORY OF CITY ACTIONS ASSOCIATED WITH PROPOSAL

All of the parcels within the proposal area are currently developed. Of the 32 non-road parcels, 30 are improved with single-family residences, one with a duplex and one with a triplex. Current uses, General Plan designations and pre-zoning designations are detailed in the chart on the following page. The City’s General Plan designates all but four of the parcels as single family residential (including the lots with multifamily residences); the other parcels are designated as commercial. The City has pre-zoned all but four parcels to “single family residential”; the other parcels are designated as “commercial”. Consequently, the residential uses on the parcels that have been rezoned for commercial use and the multi-family uses on the parcels rezoned for single-family use will be authorized to continue subject to the City’s municipal code pertaining to Legal Nonconforming Uses.

	Address	APN	Existing Use	General Plan Designation	Pre-Zoning Designation
PARCEL A	890 Telegraph	098-0-030-025	SFR	SFR	SFR
	50 Felkins Rd	098-0-030-035	SFR	SFR	SFR
	65 Felkins Rd	098-0-030-475	SFR	SFR	SFR
	320 Felkins Rd	098-0-030-045	SFR	SFR	SFR
	84 Felkins Rd	098-0-030-055	SFR	SFR	SFR
	98 Felkins Rd	098-0-030-065	SFR	SFR	SFR
	105 Felkins Rd	098-0-030-145	SFR	SFR	SFR
	120 Felkins Rd	098-0-030-075	SFR	SFR	SFR
	149 Felkins Rd	098-0-030-135	SFR	SFR	SFR
	152 Felkins Rd	098-0-030-085	SFR	SFR	SFR
	163 Felkins Rd	098-0-030-125	SFR	SFR	SFR
	168 Felkins Rd	098-0-030-435	SFR	SFR	SFR
	171 Felkins Rd	098-0-030-115	SFR	SFR	SFR
	174 Felkins Rd	098-0-030-425	SFR	SFR	SFR
	187 Felkins Rd	098-0-030-105	SFR	SFR	SFR
	327 Felkins Rd	098-0-030-155	Duplex	SFR	SFR
PARCEL B	27 Lindsay Lane	098-0-030-325	SFR	SFR	SFR
	30 Lindsay Lane	098-0-030-275	Triplex	SFR	SFR
	35 Lindsay Lane	098-0-030-335	SFR	SFR	SFR
	38 Lindsay Lane	098-0-030-265	SFR	SFR	SFR
	56 Lindsay Lane	098-0-030-255	SFR	SFR	SFR
	57 Lindsay Lane	098-0-030-345	SFR	SFR	SFR
	64 Lindsay Lane	098-0-030-245	SFR	SFR	SFR
	71 Lindsay Lane	098-0-030-355	SFR	SFR	SFR
	76 Lindsay Lane	098-0-030-235	SFR	SFR	SFR
	79 Lindsay Lane	098-0-030-365	SFR	SFR	SFR
	91 Lindsay Lane	098-0-030-375	SFR	SFR	SFR
	15820 Telegraph	098-0-030-315	SFR	Commercial	Commercial
	15840 Telegraph	098-0-030-305	SFR	Commercial	Commercial
	15858 Telegraph	098-0-030-285	SFR	SFR	SFR
PARCEL C	924 Telegraph Rd	098-0-030-195	SFR	Commercial	Commercial
	15896 Telegraph	098-0-030-185	SFR	Commercial	Commercial

Prior to submitting the application, the City of Santa Paula conducted public hearings on the proposed reorganization proposal. According to City staff reports and meeting minutes, some residents living within the proposal area expressed concerns about being forced to connect to the City's sewer system and the corresponding connection

LAFCO 05-26

City of Santa Paula Reorganization – Islands (Parcels A-C)

November 16, 2005

Page 4 of 8

costs. According to the City, unless certain types of future building modifications require it, residents will not have to connect to the sewer system as long as their septic systems remain in working order.

In response to concerns about connection costs, the City Council pledged to make a good faith effort in looking into financing assistance for utility connections.

Services and Controls

According to the City, there is sufficient capacity and ability to provide all City services upon annexation or within a reasonable time of annexation.

The City is currently the water provider to all the parcels within the proposal area. Therefore there will be no change with respect to water service.

Some sewer collection infrastructure is now in place; specifically, a mainline runs within Lindsay Lane. Currently ten parcels are connected to the City's sewer system. According to the City, their Capital Improvement Plan will be revised to reflect the future sewer collection improvements for Felkins Road and Telegraph Road in time to serve property owners who wish to connect at some future point.

Currently, the Ventura County Sheriff's Department and the Ventura County Fire District serve the proposal area. The Santa Paula Police and Fire Departments, whose facilities are located closer to the proposal area than those of the corresponding County agencies, will provide service upon annexation.

Boundaries and Lines of Assessment

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

The maps and legal descriptions for this proposal received from the proponent have been checked by the County Surveyor and have been certified as being accurate and sufficient for the preparation of a certificate of completion pursuant to Government Code Section 57201 and for filing with the State Board of Equalization.

Environmental Impact of the Proposal

The City of Santa Paula is the lead agency for this proposal and found the proposal to be categorically exempt under Section 15319(a) [annexation to a city or special district of areas containing existing structures developed to the density allowed by the current zoning] of the California Environmental Quality Act Guidelines. As the annexation is to

provide city services to existing lots with existing development, a categorical exemption is appropriate for this proposal.

Landowner and Annexing Agency Consent

As explained above and in the Special Analysis section below, the City has requested that the subject reorganization proposal be considered pursuant to Govt. Code Section 56375.3, which mandates LAFCO approval subject to specified factors without landowner consent.

SPECIAL ANALYSIS

The City is requesting that LAFCO consider the subject reorganization proposal pursuant to Section 56375.3 of the Government Code, which directs that LAFCO **shall** approve, after notice and hearing, the annexation to a city, and waive protest proceedings, if all of the following are true:

- (A) The annexation is initiated on or after January 1, 2000, and before January 1, 2007.
- (B) The annexation is proposed by resolution adopted by the affected city.
- (C) The commission finds that the territory contained in the annexation proposal meets all of the following requirements of Subdivision (b):
 - 1) It does not exceed 150 acres in area, and that area constitutes the entire island.
 - 2) The territory constitutes an entire unincorporated island located within the limits of a city, or constitutes a reorganization containing a number of individual unincorporated islands.
 - 3) It is surrounded in either of the following ways:
 - (A) Surrounded, or substantially surrounded, by the city to which annexation is proposed or by the city and a county boundary or the Pacific Ocean.
 - (B) Surrounded by the city to which annexation is proposed and adjacent cities.
 - (C) This subdivision shall not be construed to apply to any unincorporated island within a city that is a gated community where services are currently provided by a community services district.
 - (D) Notwithstanding any other provision of law, at the option of either the City or the County, a separate property tax transfer agreement may

be agreed to between a city and a county pursuant to Section 99 of the Revenue and Taxation Code regarding an annexation subject to this subdivision without affecting any existing master tax sharing agreement between the city and county.

- 4) It is substantially developed or developing. The finding required by this subparagraph shall be based upon one or more factors, including, but not limited to, any of the following factors:
 - (A) The availability of public utility services.
 - (B) The presence of public improvements.
 - (C) The presence of physical improvements upon the parcel or parcels within the area.
- 5) It is not prime agricultural land, as defined by Section 56064.
- 6) It will benefit from the annexation or is receiving benefits from the annexing city.

Date of Initiation

The proposal was initiated by application filed with LAFCO on October 3, 2005, which is within the statutory time frame.

Proposed by Resolution Adopted by Affected City

The application filed with LAFCO was accompanied by a copy of City of Santa Paula Resolution No. 6199 initiating reorganization proceedings for the proposal area (Attachment 3).

Extent to Which Territory Meets the Requirements of Govt. Code Section 56375.3(b), Subdivision (1) through Subdivision (6)

1. As described on Page 1 of this Staff Report, the size of each of the three island areas comprising the proposal area are less than the maximum limit of 150 acres, and the proposal area includes the entirety of each of the three islands.
2. The proposal constitutes a reorganization containing a number of individual unincorporated islands.
3. Each of the three island areas is entirely surrounded by the City of Santa Paula.

4. The three island areas are substantially developed based on the fact that public utility services are currently provided; public improvements (such as streets) are present; and physical improvements are present within the proposal area.
5. None of the area within the islands is considered to be prime agricultural land as defined by Section 56064.
6. All of the island areas are currently receiving road and water benefits from the City of Santa Paula. Portions of the island areas are receiving sewer services. Upon annexation, the proposal area will further benefit through the receipt of city fire and police services, and those parcels not currently receiving sewer service will be eligible to connect.

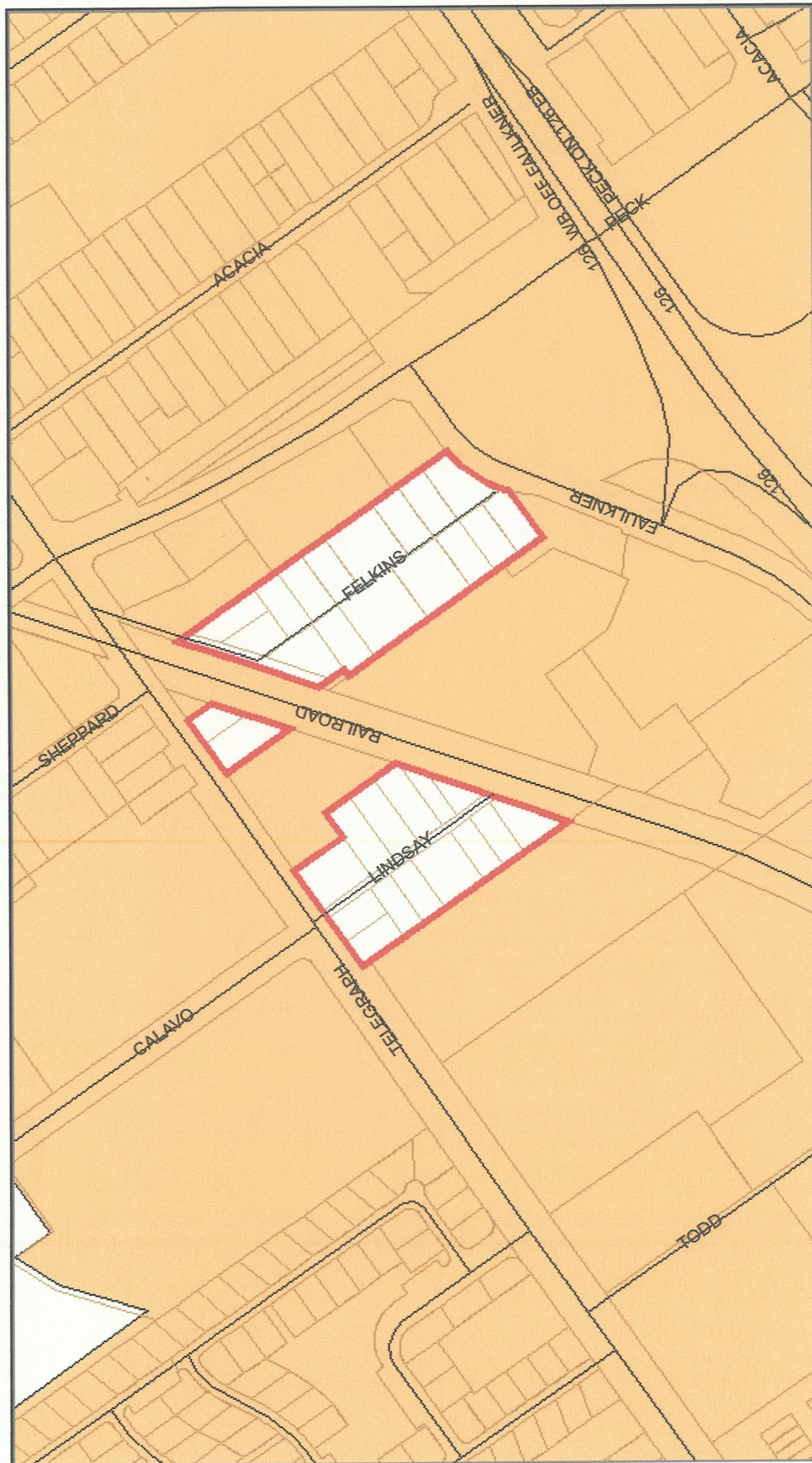
ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted, wishes to deny or modify this proposal, a motion to deny should include adoption of this Report and all referenced materials as part of the public record.

BY: 
Everett Millais, Executive Officer

Attachments: (1) Vicinity Map
 (2) LAFCO 05-26 Resolution
 (3) City of Santa Paula Resolution No. 6199 Initiating
 Reorganization Proceedings
 (4) Letter from City of Santa Paula requesting consideration
 pursuant to Govt. Code Section 56375.3

ATTACHMENT 1



Ventura LAFCO Vicinity Map

LAFCO 05-26 City of Santa Paula Reorganization - Islands (Parcels A-C)

Legend

Parcels

Santa Paula Islands Annexation Area

City of Santa Paula



0 200 400 800 Feet

ATTACHMENT 2

LAFCO 05-26

RESOLUTION OF THE VENTURA LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND APPROVING THE CITY OF SANTA PAULA REORGANIZATION – ISLANDS (PARCELS A - C); ANNEXATION TO THE CITY OF SANTA PAULA AND DETACHMENT FROM THE VENTURA COUNTY RESOURCE CONSERVATION DISTRICT AND VENTURA COUNTY FIRE PROTECTION DISTRICT

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (Section 56000 of the California Government Code); and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the public hearing by the Commission as required by law; and

WHEREAS, the proposal was duly considered on November 16, 2005; as specified in the notice of hearing; and

WHEREAS, the Commission considered the determinations required pursuant to Government Code §56375.3, including the LAFCO Executive Officer's Staff Report and recommendation, the environmental determination, Sphere of Influence and applicable General and Specific Plans; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the landowners and present and future inhabitants within the City of Santa Paula and within the affected territory, and the organization of local governmental agencies within Ventura County.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission of Ventura County as follows:

- (1) The subject proposal is consistent with the provisions of Government Code §56375.3.
- (2) The LAFCO Executive Officer's Staff Report and Recommendation for approval of the proposal dated November 16, 2005, is adopted.
- (3) The annexation to the City of Santa Paula is hereby approved, and the boundaries are established generally as set forth in the attached Exhibit A.

- (4) The subject proposal is assigned the following distinctive short form designation: **LAFCO 05-26 CITY OF SANTA PAULA REORGANIZATION – ISLANDS (Parcels A - C).**
- (5) The Commission has reviewed and considered the lead agency's determination that the change of organization is categorically exempt under Section 15319(a) of the California Environmental Quality Act Guidelines, and finds the change of organization to be categorically exempt under Section 15319(a).
- (6) The Commission directs staff to file a Notice of Exemption in the same manner as a lead agency, under Section 15062 of the California Environmental Quality Act Guidelines.
- (7) The Commission, consistent with California Government Code Section 56375.3(a), hereby waives protest proceedings entirely.
- (8) **This change of reorganization shall not be recorded until all LAFCO fees have been paid and until fees necessary for filing with the State Board of Equalization have been submitted to the Executive Officer.**

This resolution was adopted on November 16, 2005.

AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Attachments: Exhibit A

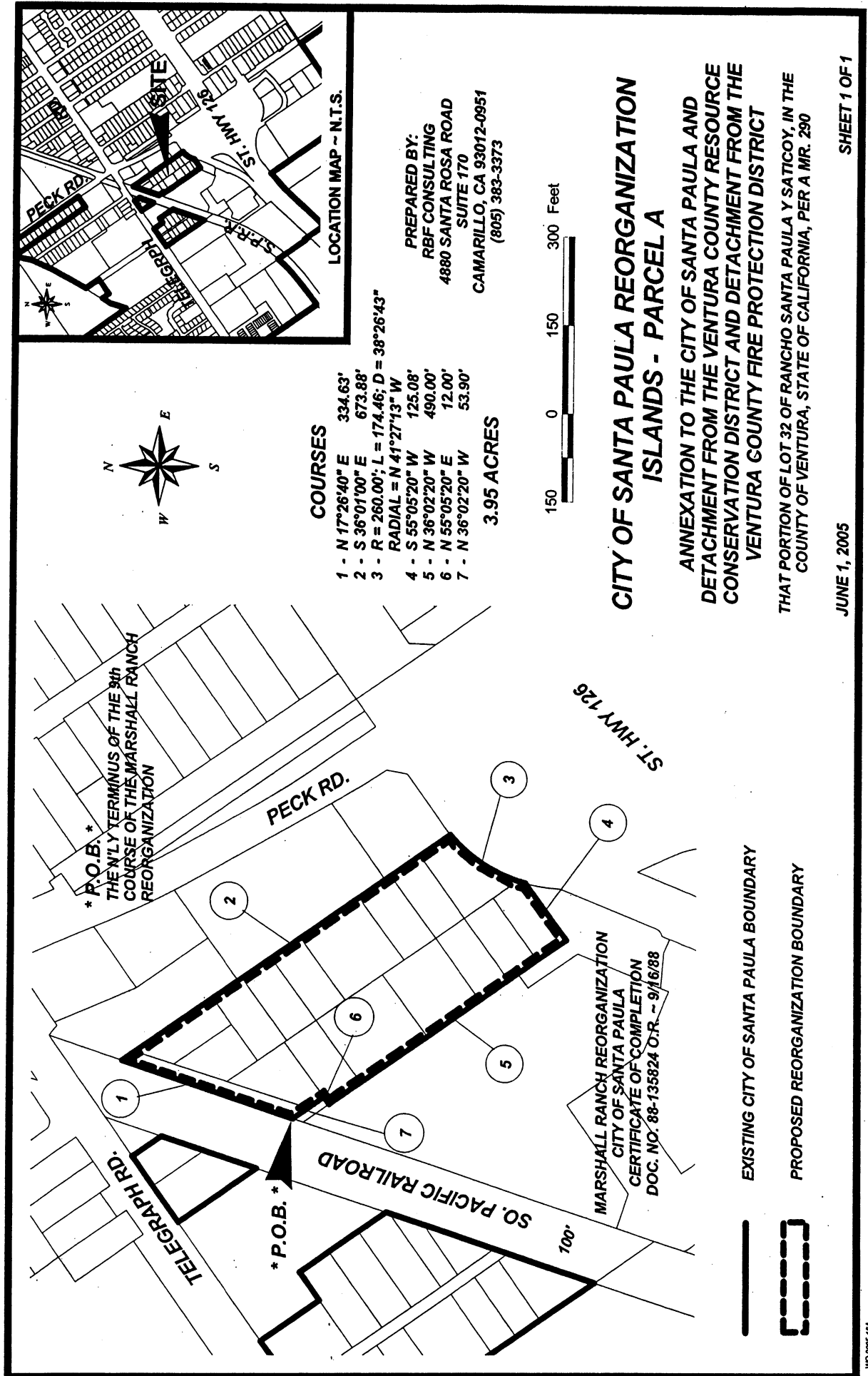
Copies: City of Santa Paula
Ventura County Resource Management Agency
Ventura County Fire Protection District
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning
Ventura County Elections-Registrar of Voters

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Zell Kauter*

Date: 11-7-05

05-26



**SANTA PAULA REORGANIZATION
ISLANDS - PARCEL A
ANNEXATION TO THE CITY OF SANTA PAULA
AND DETACHMENT FROM VENTURA COUNTY
CONSERVATION DISTRICT AND DETACHMENT FROM
VENTURA COUNTY FIRE PROTECTION DISTRICT**

That portion of Lot 32 of Rancho Santa Paula Y Saticoy, in the County of Ventura, State of California, as said Lot 32 is shown on the map recorded in Office of the County Recorder of said County, in Book A, Page 290 of Miscellaneous Records, described as follows:

Beginning at a point in the southerly line of Southern Pacific Railroad, said point also being the northerly terminus of the 9th course of the Marshall Ranch Reorganization to the City of Santa Paula, as shown and described in the Certificate of Completion, recorded September 16, 1988 in the Office of said County Recorder as Document No. 88-135824 of Official Records; thence along the existing boundary of said City of Santa Paula by the following seven courses:

- 1st - North 17°26'40" East 334.63 feet; thence,
- 2nd - South 36°01'00" East 673.88 feet to the beginning of a nontangent curve concave southeasterly, having a radius of 260.00 feet, and having a radial to said beginning of said curve bearing North 41°27'13" West; thence, along said curve,
- 3rd - Southwesterly and southerly 174.46 feet through a central angle of 38°26'43"; thence,
- 4th - South 55°05'20" West 125.08 feet; thence,
- 5th - North 36°02'20" West 490.00 feet; thence,
- 6th - North 55°05'20" East 12.00 feet; thence,
- 7th - North 36°02'20" West 53.90 feet to the point of beginning and containing 3.95 acres.

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by:

Zell Rawlins

Date:

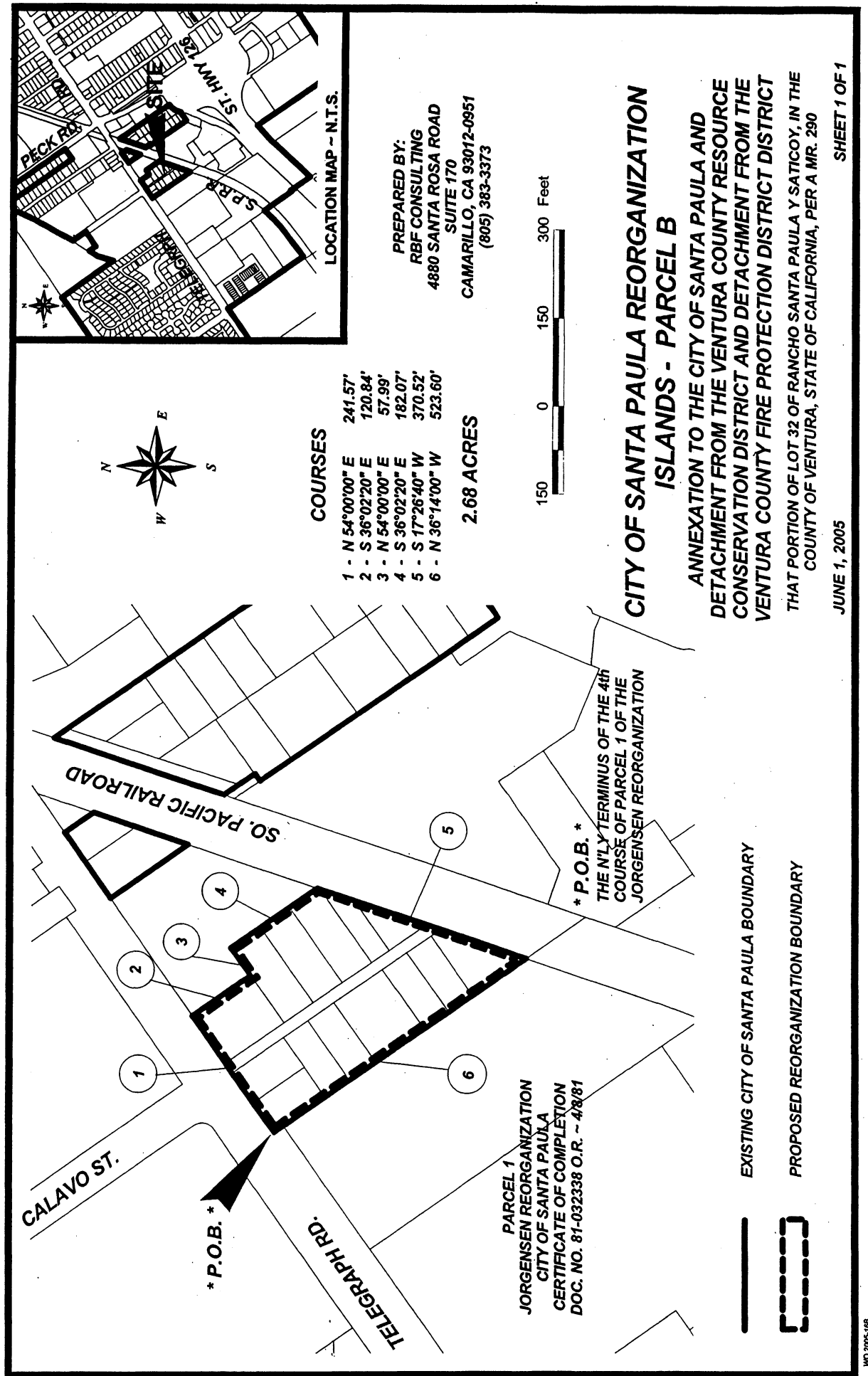
11-7-05

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Zell Kautz*

Date: 11-7-05

05-26



**SANTA PAULA REORGANIZATION
ISLANDS - PARCEL B
ANNEXATION TO THE CITY OF SANTA PAULA AND
DETACHMENT FROM VENTURA COUNTY RESOURCE
CONSERVATION DISTRICT AND DETACHMENT FROM
VENTURA COUNTY FIRE PROTECTION DISTRICT**

That portion of Lot 32 of Rancho Santa Paula Y Saticoy, in the County of Ventura, State of California, as said Lot 32 is shown on the map recorded in Office of the County Recorder of said County, in Book A, Page 290 of Miscellaneous Records, described as follows:

Beginning at a point in the southerly line of Telegraph Road, said point also being the northerly terminus of the 4th course of Parcel 1 of the Jorgensen Reorganization to the City of Santa Paula, as shown and described in the Certificate of Completion, recorded April 8, 1981 in the Office of said County Recorder as Document No. 81-032338 of Official Records; thence along the existing boundary of said City of Santa Paula by the following six courses:

- 1st - North 54°00'00" East 241.57 feet; thence,
- 2nd - South 36°02'20" East 120.84 feet; thence,
- 3rd - North 54°00'00" East 57.99 feet; thence,
- 4th - South 36°02'20" East 182.07 feet; thence,
- 5th - South 17°26'40" West 370.52 feet; thence,
- 6th - North 36°14'00" West 523.60 feet to the point of beginning and containing 2.68 acres.

WO 2005-16B.doc ~ June 1, 2005

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

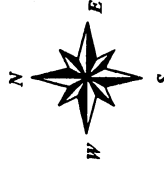
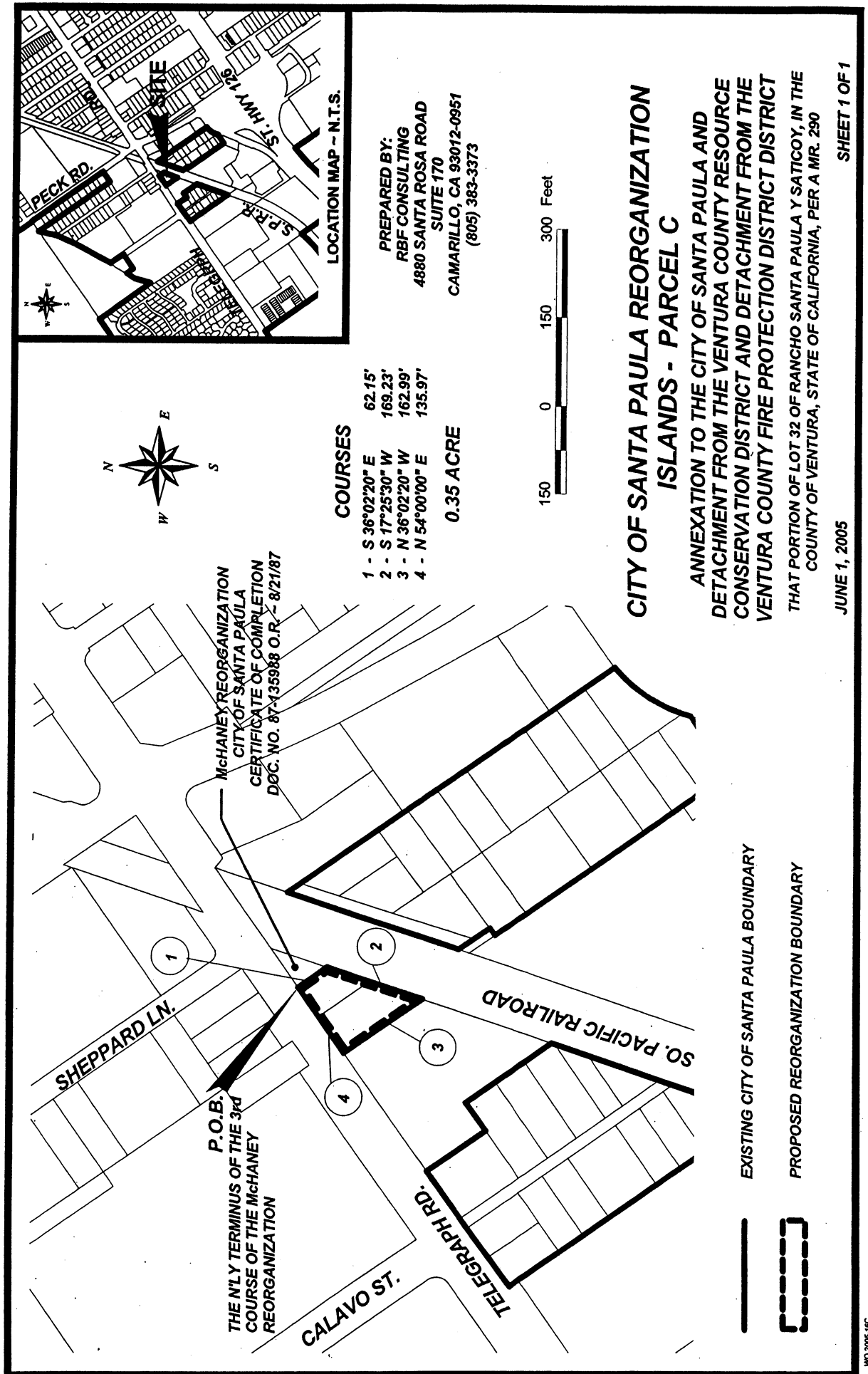
Certified by: *Zell Rawls*
Date: *11-07-05*

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Zell Rueden*

Date: 11-7-05

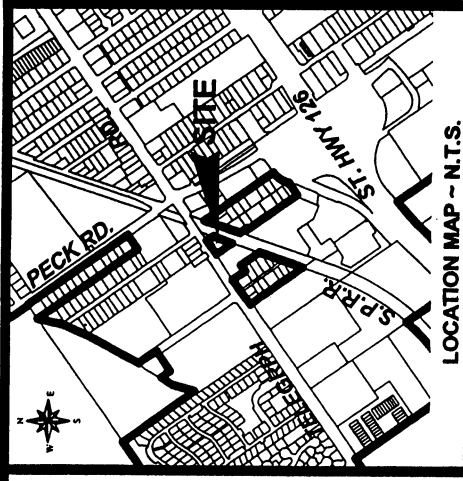
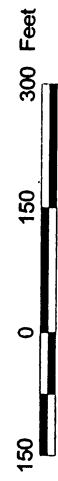
05-26



COURSES

- 1 - S 36°02'20" E 62.15'
- 2 - S 17°25'30" W 169.23'
- 3 - N 36°02'20" W 162.99'
- 4 - N 54°00'00" E 135.97'

0.35 ACRE



PREPARED BY:
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(805) 383-3373

**CITY OF SANTA PAULA REORGANIZATION
ISLANDS - PARCEL C**

ANNEXATION TO THE CITY OF SANTA PAULA AND
DETACHMENT FROM THE VENTURA COUNTY RESOURCE
CONSERVATION DISTRICT AND DETACHMENT FROM THE
VENTURA COUNTY FIRE PROTECTION DISTRICT

THAT PORTION OF LOT 32 OF RANCHO SANTA PAULA Y SATICOY, IN THE
COUNTY OF VENTURA, STATE OF CALIFORNIA, PER A MR. 290

JUNE 1, 2005

SHEET 1 OF 1

EXISTING CITY OF SANTA PAULA BOUNDARY

PROPOSED REORGANIZATION BOUNDARY



**SANTA PAULA REORGANIZATION
ISLANDS - PARCEL C
ANNEXATION TO THE CITY OF SANTA PAULA
AND DETACHMENT FROM VENTURA COUNTY
CONSERVATION DISTRICT AND DETACHMENT FROM
VENTURA COUNTY FIRE PROTECTION DISTRICT**

That portion of Lot 32 of Rancho Santa Paula Y Saticoy, in the County of Ventura, State of California, as said Lot 32 is shown on the map recorded in Office of the County Recorder of said County, in Book A, Page 290 of Miscellaneous Records, described as follows:

Beginning at a point in the southerly line of Telegraph Road, said point also being the northerly terminus of the 3rd course of the McHaney Reorganization to the City of Santa Paula, as shown and described in the Certificate of Completion, recorded August 21, 1987 in the Office of said County Recorder as Document No. 87-135988 of Official Records; thence, along the existing boundary of said City of Santa Paula by the following four courses:

- 1st - South 36°02'20" East 62.15 feet; thence,
- 2nd - South 17°25'30" West 169.23 feet; thence,
- 3rd - North 36°02'20" West 162.99 feet; thence,
- 4th - North 54°00'00" East 135.97 feet to the point of beginning and containing 0.35 acre.

The Ventura County Surveyor's office of the Public Works Agency certifies this map and legal description to be definite and certain.

Certified by: *Jell Rawls*

Date: *11-07-05*

ATTACHMENT 3

RESOLUTION NO. 6199

A RESOLUTION AUTHORIZING THE CITY MANAGER OR DESIGNEE TO FILE AN APPLICATION TO INITIATE REORGANIZATION PROCEEDINGS FOR REAL PROPERTY LOCATED WITHIN ISLAND PARCELS AT FELKINS ROAD, TELEGRAPH ROAD, LINDSAY LANE ISLANDS.

(PROJECT NO. 2005-ANX-01)

The City Council of the City of Santa Paula resolves as follows:

SECTION 1: The City Council finds and declares that:

- A. The City of Santa Paula seeks to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §§ 56000, *et seq.*) for a reorganization that would concurrently annex territory to the City of Santa Paula and detach territory from the County of Ventura.
- B. The City of Santa Paula distributed written information of the reorganization proceedings to the property owners of the subject area, and included resident response postcards that were collected in December 2004.
- C. The territory proposed to be reorganized is inhabited, and a map and description of the boundaries of the territory are attached as Exhibit "A," and incorporated by reference.
- D. Notice of a public hearing was given on June 17, 2005 and the Planning Commission conducted a public hearing on June 28, 2005 based upon that notification.
- E. On June 28, the Planning Commission opened a public hearing to receive public testimony and other evidence regarding the application including, without limitation, evidence submitted to the record by the Planning Commission, City staff, and the City's third-party consultants.
- F. Notice of a public hearing was given on July 7, 2005. However due to public hearing notification error, the City Council public hearing was continued to August 1, 2005. On August 1, 2005, the City Council conducted a public hearing based upon that notification. The City Council continued the public hearing to September 6, 2005.
- G. On September 6, the City Council opened a public hearing to receive public testimony and other evidence regarding the application including, without limitation, evidence submitted to the record by the Planning Commission, City staff, and the City's third-party consultants.

- H. This Resolution is adopted, in part, with reference to all of the evidence on the record including, without limitation, verbal testimony and documentary evidence submitted during the public hearing and on file with the city of Santa Paula.

SECTION 2: Factual Findings and Conclusions. The City Council finds that the following facts exist and makes the following conclusions:

- A. Real property located at Lindsay Lane (APNs 098-0-030-293, 325, 275, 335, 265, 255, 345, 355, 235, 365 and 375); Telegraph Road (APNs 098-0-030-315, 305, 285, 025, 195 and 185); and Felkins Road (APNs 098-0-030-035, 475, 045, 055, 065, 145, 075, 135, 085, 125, 435, 115, 425, 105 and 155) are unincorporated parts of Ventura County (collectively, the "Property").
- B. Regulations promulgated by the Ventura County Local Agency Formation Commission ("LAFCO") require that, before any annexation of property outside a public agency's jurisdiction can be considered, the public agency must annex all islands of unincorporated territory into its jurisdiction.
- C. Unincorporated "island" territory is real property surrounded by a public agency's jurisdictional boundaries, but not part of that public agency's jurisdiction.
- D. Annexation of the Property is desirable for the following reasons:
1. To efficiently provide municipal services that can be more economically provided to persons living on the Property by the city of Santa Paula rather than the county of Ventura; and
 2. To recoup costs associated with the Property residents' use of Felkins Road, Telegraph Road and Lindsay Lane, City services, parks, and schools through collecting property taxes from the Property (which now goes to the County).
- E. The following agencies would be affected by the proposed jurisdictional changes:
1. County of Ventura – The Property would be detached from the County of Ventura and Ventura County Fire Protection District.
 2. City of Santa Paula – The Property would be annexed to the City of Santa Paula.
- F. This proposal is consistent with the adopted Sphere of Influence of the City of Santa Paula, and the City of Santa Paula CURB line.

SECTION 3: General Plan Consistency. The proposed project would conform to the Santa Paula General Plan as follows:

- A. LAFCO requires as a condition of annexation that the city of Santa Paula pre-zone the territory to be annexed, or present evidence that the areas are both built-out and consistent with the Santa Paula General Plan (Government Code § 56375(a)(3)). Pre-zoning resolutions, which designate zoning classifications consistent with the General Plan designations already assigned to these annexation areas, will be adopted. Pre-zoning designations become effective with the annexation.
- B. The pre-zoning resolution for the Property will designate all but four parcels as single-family residential. These pre-zoning classifications are consistent with the General Plan designations for these parcels, but not necessarily with the existing uses. The following six parcels will have existing uses inconsistent with their pre-zoning classification:
 - 1. APNs 098-0-030-315, 098-0-030-305, 098-0-030-195 and 098-0-030-185. Current uses on these parcels are single family residential, while the Land Use Element of the General Plan designates, and the pre-zoning resolution will designate, these parcels commercial.
 - 2. APNs 098-0-030-155 and 098-0-030-275. Tax assessor parcel data identifies the current uses of these parcels as duplex and triplex residences, respectively, while the Land Use Element of the General Plan designates, and the pre-zoning resolution will designate, these parcels as single family residential.
- C. Although these parcels might appear to create inconsistencies within the Santa Paula Municipal Code ("SPMC"), SPMC §16.110.020(C) allows Legal Nonconforming Uses and SPMC §16.112.10(A) allows for the continuation of residential Legal Nonconforming Uses provided there is no physical change other than necessary and routine maintenance and repair, and further provided there is no increase or enlargement of the area, space or volume occupied or devoted to residential uses.

SECTION 4: Annexation Findings. The City Council makes the following findings in accordance with SPMC § 16.236.120:

- A. That the proposed annexation is consistent with the goals, policies and objectives of the General Plan:
 - 1. The proposed annexations are within the City's Sphere of Influence and urban development area consistent with GP Policy 4.c.c.;

2. The proposed annexations are existing developments contiguous with the City's boundary and growth consistent with PG Policy 4.d.d.;
 3. GP Policy 4.e.e allows island annexations when supported by residents of the area. Except for the Property in Lindsay Lane, the proposed annexation is supported by a majority of the residents. However, there could have been some misunderstanding regarding the benefits that Property residents would enjoy by being within the City's jurisdiction and it appears that, on balance, the annexation is supported by Property residents.
- B. The proposed annexation will not adversely or significantly impact surrounding properties. All uses within the Property are preexisting. New development is not proposed as part of the island annexation. And, the existing uses on the Property are consistent with the Santa Paula General Plan.
- C. The proposed annexation promotes public health, safety, or general welfare and serves the goals and purposes of the SPMC. Annexation of the Property within the City's jurisdiction will provide them with local City services including, without limitation, police, fire, public works, water, and sewer (27 of 33 parcels within the Property).
- D. The City has sufficient capacity and ability for providing all city services upon annexation, or within a reasonable time of annexation. As a practical matter, the City already provides public services to the Property – roads, water, public safety mutual aid, and sewer. The infrastructure needed to provide those parcels within the Property that do not have sewer mainlines already exists within Lindsey Lane. Future sewer improvements will need to be added to the Capitol Improvement Plan for Felkins Road and Telegraph Road, as such to provide service within a timeframe appropriate to transition from septic to a sewer mainline.
- E. Based upon a fiscal analysis prepared by RBF Consulting for the subject property dated June 23, 2005, which is incorporated by reference as part of the overall record, the proposed annexation will pay for itself and will not bring any fiscal or economic burden onto the City of Santa Paula ("Analysis"). The Analysis was based on the City's adopted 2004-2005 budget and the estimated revenues and cost per dwelling unit. When applying the current 2004-2005 budget assumptions per dwelling unit, the proposed island annexations would generate approximately \$40,927 in annual revenues, and \$37,094 in City annual operating expenditures. Based on the fiscal analysis, the estimated annual expenditures are covered with the anticipated annual revenues from the island annexations, resulting in a surplus of \$3,833. However, the initial expenditures exceed

the initial estimated revenue by \$8,037, respectively. Long-term costs associated with sewer improvements to those parcels currently supported by septic tanks would need to be incorporated into the Waste Water Capital Improvement Program. However, the estimated hook-up fees of \$60,347 would contribute toward the District's future sewer improvements within these areas.

SECTION 5: Environmental Assessment

- A. The City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines ("Santa Paula Guidelines"; CEQA, CEQA Guidelines and Santa Paula Guidelines collectively referred to as "CEQA Regulations");
- B. Based upon the facts set forth in this Resolution, the proposed project is categorically exempt from further CEQA review pursuant to CEQA Guidelines § 15319 as an annexation project (Class 19).

SECTION 6: Approval and Authorization. The City's application for annexing the Property is approved and the City Manager, or designee, is authorized to file an annexation application with LAFCO for the purpose of annexing the Property within the City's jurisdiction in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

SECTION 7: Reliance on the Record. Each and all of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: This Resolution will become effective immediately upon adoption and remain effective until superseded by a subsequent resolution.

SECTION 9: The City Clerk is directed to mail a copy of this Resolution to the LAFCO of Ventura County and to any other person requesting a copy.

SECTION 10: This Resolution is the City Council's final decision and will become effective immediately upon adoption.

PASSED AND ADOPTED this 6 day of September, 2005.

Mary Ann Krause
Mary Ann Krause,
Mayor

ATTEST:

Josie G. Herrera
Josie G. Herrera,
City Clerk



APPROVED AS TO FORM:

Karl H. Berger
Karl H. Berger,
City Attorney

APPROVED AS TO CONTENT:

Wally Bobkiewicz
Wally Bobkiewicz,
City Manager

Certified Copy
Record on File
City of Santa Paula

Josie G. Herrera
Josie G. Herrera,
City Clerk

ATTACHMENT 4



"Citrus Capital of the World"

City of Santa Paula

970 Ventura Street • Santa Paula, California • Mailing Address: P.O. Box 569 • 93061 • Phone: (805) 525-4478 • Fax: (805) 525-6278

September 30, 2005

Everett Millais
LAFCO
800 S. Victoria Ave.
Hall of Administration
Ventura, CA 93009

Subject: Island Annexation Application (Felkins Road, Telegraph Road and Lindsay Lane)

Dear Mr. Millais:

The City of Santa Paula seeks to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 for reorganization that would concurrently annex territory to the City of Santa Paula and detach territory from the County of Ventura.

We would like LAFCO to process this application under the Island Annexation rules governed by Government Code Section 56375.3.

Please contact me at 805/933-4244 should you have questions.

Sincerely,

Janna Minsk
Planning Director

Enclosures: LAFCO Application and fee(s) for the City of Santa Paula Island Annexations